

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAUREN SPENCER-SMITH,

Plaintiff,

-v-

DAVID M. ERLICH, ET AL.,
Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/3/2024

ORDER

23-CV-2652 (LJL) (HJR)
[rel. 23-CV-2653 (LJL) (HJR)]

HENRY J. RICARDO, United States Magistrate Judge.

A settlement conference is scheduled before Magistrate Judge Henry J. Ricardo on **January 15, 2025 at 10:00 a.m.**, in Courtroom 21D at 500 Pearl Street, New York, New York 10007.

The parties are directed to review and comply with the Procedures for All Cases Referred for Settlement to Magistrate Judge Henry J. Ricardo (the “Procedures”), available at <https://nysd.uscourts.gov/hon-henry-j-ricardo>. **No later than five (5) business days before the conference**, the parties shall submit the attached Acknowledgement Form to RicardoNYSDChambers@nysd.uscourts.gov, copying all counsel or pro se litigants if they are unrepresented.

No later than five (5) business days before the conference, counsel for each party must send the party’s Ex Parte Settlement Letter, marked “Confidential Material for Use Only at Settlement Conference” to RicardoNYSDChambers@nysd.uscourts.gov. This letter should not be sent to the other parties. The letter should include, at a minimum, the information described in paragraph 3 of the Procedures. The parties should exchange their initial

settlement demands and responses in advance of their Ex Parte Settlement Letter submissions.

The parties—not just the attorneys—must attend the settlement conference. Corporate parties, labor unions, and insurance companies (or any other party that is not a natural person) must send to the conference the person ultimately responsible for giving settlement authority. Government agencies are subject to additional requirements specified in the Procedures. If it would be a great hardship for the party to attend, upon written application in advance of the conference I will sometime excuse that party's presence, but I will require that party to be available by telephone throughout the settlement conference.

SO ORDERED.

Dated: December 3, 2024
New York, New York



Henry J. Ricardo
United States Magistrate Judge

ACKNOWLEDGEMENT FORM

Complete this form, sign and date it, and send it by email as a PDF attachment to (1) Judge Ricardo at RicardoNYSDCambers@nysd.uscourts.gov and (2) to all other attorneys who will be attending the conference **no later than five business days prior to the conference**. Please read the certifications below carefully as your signature indicates your compliance with them.

Name of Case: _____

Docket Number: ____ CV _____ (____) (HJR)

I acknowledge that my client and I must attend a settlement conference on _____, 20____ at ____:____ .m. in Courtroom ____, United States Courthouse, 500 Pearl Street, New York, New York.

1. I am attorney for _____ [Plaintiff / Defendant].

(For corporate or other non-individual clients): The name of the representative of my client who will attend the conference is:_____. The title of this representative is:_____.

If applicable (for insurance carrier): The name of the representative of the insurance carrier who will attend the conference is:
_____.

2. CHECK ONE LINE BELOW:

- a. ____ The above-named individual will attend in person.
- b. ____ The above-named individual will attend by telephone because I certify that (1) such individual lives and works more than 100 miles from the Courthouse (or, if my client is not an individual, the client's decision-maker lives and works more than 100 miles from the Courthouse), and (2) it would be a great hardship for this individual to attend a settlement conference on this or any other date. This individual understands that he or she must participate by telephone without interruption for the duration of the conference.

3. I certify that the person attending the conference (in person or by telephone) is the person with ultimate responsibility for determining the settlement amount: that is, the person responsible for giving settlement authority, not someone who has received authority from another person. In addition, if there is an insurance carrier with authority over settlement, a representative from such carrier with complete responsibility over settlement will be present in person or by telephone.
4. I certify that I have read both the Court's Order scheduling this conference as well as the "Procedures for All Cases Referred for Settlement to Magistrate Judge Henry J. Ricardo."

Dated: _____

[Signature of Attorney]